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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Working Group on Contemporary
Forms of Slavery
Sixteenth session
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Item 3 of the provisional agenda

REVIEW OF INFORMATION RECEIVED ON THE STATUS AND THE IMPLEMENTATION OF CONVENTIONS ON SLAVERY AND SLAVERY-LIKE PRACTICES

Information received from States concerning the Slavery Convention, the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others.

Note by the Secretary-General

Addendum

GE.91-12293/0646H

SWEDEN

[17 June 1991]
[Original: English]

1. The question of ratification by Sweden of the Convention has been examined carefully by the concerned ministries. The result of this examination was that there are several reasons for Sweden not to ratify the Convention.

2. Domestic legislation does not per se constitute an obstacle to ratification. The main reason, however, for Swedish uneasiness with the Convention of 1949 is its obsolescence. The Government doubts that the Convention is an effective means of suppressing traffic in persons and of combating the problems arising from prostitution in today's society. The Convention contains several examples that bear witness of its old-fashioned spirit. One of the examples is article 17, which contains a list of measures designed to check traffic in persons of either sex for the purpose of prostitution. It seems unlikely that prostitution would decrease as a result of the application of methods enumerated in that article.

3. Another aspect of article 17, in particular of its paragraph 4, is that it might also be questioned whether informing the appropriate authorities of the arrival of "prima facie victims" of international traffic in persons for the purpose of prostitution is not an interference with those individuals' right to respect for their privacy. The same argument may also have a bearing on the declarations to be "taken from aliens who are prostitutes", in accordance with article 18.

4. Furthermore, it may also be questioned whether the provision in article 7, paragraph 2, on the disqualification from exercise of civil rights might not conflict with the contents of other human rights instruments. It would be with considerable hesitation that Sweden would subscribe to a provision which at all allowed for such disqualification, even in spite of the limitation prescribed by the wording "to the extent permitted by domestic law".

5. From a Swedish viewpoint, the efforts to reduce violence against women and to eliminate problems arising from prostitution and other exploitation involving women, are considered to be of utmost importance with respect to efforts towards equality between the sexes. However, prostitution is not solely a phenomenon that involves women. There already exist human rights instruments which include provisions on female and child prostitution: the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. However, there might still be a need for a modern instrument which focuses on the roots of prostitution as such, regardless of whether it affects women, children or men. It is important to ensure that any new instrument in this field is based on modern concepts and the respect for the privacy of the individual.